

#### **CERTIFICATE OF MAILING**

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ON July 20, 2006

Mary - Jenest ATTORNEY FOR APPLICANT

Attorney Docket No. PU60365

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Oh et al.

July 20, 2006

Serial No.:

10/560,693

Group Art Unit No.: Unknown

Filed:

March 30, 2006

Examiner:

Unknown

For:

Stabilized Topotecan Liposomal Composition and Methods

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

#### FILING OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R.§1.97(b)

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 for consideration by the United States Patent and Trademark Office, prior to the granting of this patent. Their inclusion herein should not, however, be construed as an admission that any particular cited document is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited document is enclosed, except U.S. Patent documents, and those references which are already part of the filewrapper. This statement is being filed within the time period specified in 37 CFR §1.97(b). No fee is required.

Respectfully submitted,

Kathryn 1. Sieburth Attorney for Applicants

Registration No. 40,072

**GLAXOSMITHKLINE** Corporate Intellectual Property - UW2220 P.O. Box 1539 King of Prussia, PA 19406-0939 Phone (610) 270-5012 Facsimile (610) 270-5090

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Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY, DOCKET NO. PU60365	SERIAL NUMBER 10/560,693
	DISCLOSURE STATEMENT	APPLICANT Oh et al.	
IUL 2 & 2006 guse seve	ral sheets if necessary)	FILING DATE March 30, 2006	GROUP Not Yet Assigned

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Examiner	Document Number	Date	S. PATENT DOCUMENTS Name	Class	Subclass	Filing Date
Initial	Document Number	Date	Ivalile	Class	Subciass	If Appropriate
	US2003157162	8/21/03	Krugner-Higby et al.	424	450	
	US2003059472	3/27/03	Brynjelsen et al.	424	489	
	US2005019386	1/27/05	Reszka et al.	424	450	···········
	US2003124181	7/3/03	Tardi et al.	424	450	
	US2003129224	7/10/03	Tardi et al.	424	450	
	US2005118249	6/2/05	Webb et al.	424	450	
	US2005118250	6/2/05	Tardi et al.	424	450	
	US2004253315	12/16/04	Ogawa et al.	424	490	
	US2002136762	9/26/02	See et al.	424	450	
	6,610,322	8/26/03	Keller et al.			
	6,958,160	10/25/05	Keller et al.	424	450	
	US2003219476	11/27/03	Ahmad et al.	424	450	
	US2002016302	2/7/02	Grynkiewicz et al.	514	34	
	US2003138481	7/24/03	Brahim Zadi	424	450	
	US2003078225	4/24/03	Gregory Gregoriadis	514	44	
	6,156,337	12/5/00	Barenholz et al.	424	450	
	6,685,960	2/3/04	Maria Rosa Gasco	424	450	
	6,019,999	2/1/00	Miller et al.	424	450	
	6,404,890	6/11/02	Arjen K. Lenstra	380	268	

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	Document Number	Date	Date Country		Class	Subclass	Trans	ation
				•			Yes	No
	JP2003012505	7/6/01	JP				Abs	
	W02003000227	1/3/03	PCT					
	WO2003000232	1/3/03	PCT					
	WO2002078624	10/10/02	PCT					
	TW404739	9/20/97	TW				Abs	
	WO2000072824	12/7/00	PCT				Abs	
	RU2144352	7/16/97	RU				Abs	
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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	6,496,929	12/17/02	Arjen K. Lenstra	. 713	161	· · · · · · · · · · · · · · · · · · ·
	6,926,905	8/9/05	Grant et al.	424	450	
	US2002154768	10/24/02	Arjen K. Lenstra	380	30	
	US2004018230	1/29/04	Grant et al.	424	450	
	US2001055610	12/27/01	Nagata et al.	424	450	
	6,537,561	3/25/03	Fukui et al.	424	400	
	6,319,517	11/20/01	Cavallo et al.	424	450	
	6,221,386	4/24/01	Cherwonogrodzky et al.	424	450	
	6,221,385	4/24/01	Camu et al.	424	450	
	5,364,394	11/15/94	Thomas L. Mehl	606	36	
	5,470,332	11/28/95	Mehl, Sr., et al.	606	36	
	5,797,926	8/25/98	Thomas L. Mehl, Sr.	606	133	
	5,827,294	10/27/98	Thomas L. Mehl, Sr.	606	133	
	5,833,687	11/10/98	Mehl, Sr., et al.	606	36	
	5,846,252	12/8/98	Thomas L. Mehl, Sr.	606	133	
	5,868,738	2/9/99	Thomas L. Mehl, Sr.	606	36	
	5,885,260	3/23/99	Mehl Sr., et al.	604	289	

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	Document Number	Date	Date Country		Class	Subclass	Translation	
							Yes	No
	RU2123328	4/19/96	RU				Abs	
	WO9965465	12/23/99	PCT					
	CN 1225815	6/10/98	CN				Abs	
	WO9916425	4/8/99	PCT					
	WO9904761	2/4/99	PCT					
	855179	11/13/02	EP					
	WO9810748	3/19/98	PCT		·			
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	6,063,076	5/16/00	Mehl, Sr., et al.	606	36	
-	6,090,085	7/18/00	Mehl, Sr., et al.	604	291	
	6,183,451	2/6/01	Mehl, Sr., et al.	604	290	
	6,475,517	11/5/02	Tagawa et al.	424	450	
	US2003022379	1/30/03	Tagawa et al.	435	458	
	5,952,303	9/14/99	Bornstein et al.	514	13	
	6,015,576	1/18/00	See et al.	424	450	
	6,117,449	9/12/00	See et al.	424	450	
	6,207,185	3/27/01	See et al.	424	450	
	US2001024651	9/27/01	See et al.	424	187.1	
	US2002142030	10/3/02	See et al.	424	450	
	US2004258746	12/23/04	See et al.	424	450	
	6,165,442	12/26/00	Swaerd-Nordmo et al.	424	9.52	
	6,217,850	4/17/01	Dugstad et al.	424	9.52	
	6,221,337	4/24/01	Dugstad et al.	424	9.52	
	6,562,320	5/13/03	Swaerd-Nordmo et al.	424	9.52	
	US2001010811	8/2/01	Dugstad et al.	424	9.52	
	US2003202942	10/31/03	Dugstad et al.	424	9.52	
	US2005201942	9/15/05	Dugstad et al.	424	9.34	
	5,718,917	2/17/98	Jackie R. See	424	450	
	6,007,838	12/28/99	Alving et al.	424	450	
	5,902,604	5/11/99	Zou et al.	424	450	

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	JP09087168	9/20/95	JP			Abs	
	WO9627393	9/12/96	РСТ				
EVANABLED			DATE CONSIDERED				

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	5,653,998	8/5/97	Hamann et al.	424	450	
	5,698,677	12/16/97	Eibl et al.	530	381	
	6,017,891	1/25/00	Eibl et al.	514	21	
	5,567,433	10/22/96	David Collins	424	450	
	6,355,267	3/12/02	David Collins	424	150	
	6,322,809	11/27/01	Gregoriadis et al.	424	450	
	6,451,338	9/17/02	Gregoriadis et al.	424	450	
	US2002041895	4/11/02	Gregoriadis et al.	424	450	
	5,653,996	8/5/97	Chung C. Hsu	424	450	
	5,656,597	8/12/97	Skrabanja et al.	514	12	
	5,885,491	3/23/99	Galan Valdivia et al.	264	4.1	
	5,700,482	12/23/97	Frederiksen et al.	424	450	
	5,560,923	10/1/96	Rahman et al.	424	450	

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	11,2,7	JP			Abs	
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EP680763	11/8/95	EP				
EP664117	7/26/95	EP				
WO9515762	6/15/95	PCT				
CA2101241		CA				
WO9428876	12/22/94	PCT				
RU2014071	3/26/91	RU			Abs	
JP06211645	1/14/93	JP			Abs	<u></u>
JP06122634	1/20/92	JP			Abs	
WO9323016	11/25/93	PCT				
JP06024999	7/7/92	JP			Abs	<u> </u>
	EP680763 EP664117 WO9515762 CA2101241 WO9428876 RU2014071 JP06211645 JP06122634 WO9323016	EP680763 11/8/95 EP664117 7/26/95 WO9515762 6/15/95 CA2101241 WO9428876 12/22/94 RU2014071 3/26/91 JP06211645 1/14/93 JP06122634 1/20/92 WO9323016 11/25/93	EP680763 11/8/95 EP EP664117 7/26/95 EP WO9515762 6/15/95 PCT CA2101241 CA WO9428876 12/22/94 PCT RU2014071 3/26/91 RU JP06211645 1/14/93 JP JP06122634 1/20/92 JP WO9323016 11/25/93 PCT JP06024999 7/7/92 JP	EP680763 11/8/95 EP  EP664117 7/26/95 EP  WO9515762 6/15/95 PCT  CA2101241 CA  WO9428876 12/22/94 PCT  RU2014071 3/26/91 RU  JP06211645 1/14/93 JP  JP06122634 1/20/92 JP  WO9323016 11/25/93 PCT	EP680763 11/8/95 EP  EP664117 7/26/95 EP  WO9515762 6/15/95 PCT  CA2101241 CA  WO9428876 12/22/94 PCT  RU2014071 3/26/91 RU  JP06211645 1/14/93 JP  JP06122634 1/20/92 JP  WO9323016 11/25/93 PCT  JP06024999 7/7/92 JP	EP680763       11/8/95       EP         EP664117       7/26/95       EP         WO9515762       6/15/95       PCT         CA2101241       CA

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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,472,706	12/5/95	Friedman et al.	424	450	
	5,750,142	5/12/98	Friedman et al.	420	450	
	6,485,705	11/26/02	Schneider et al.	424	9.52	
	6,585,955	7/1/03	Schneider et al.	424	9.52	
	6,183,725	2/6/01	Yan et al.	424	9.51	
	6,200,548	3/13/01	Richon et al.	424	9.51	
	6,136,293	10/24/00	Schneider et al.	424	9.52	
	6,139,818	10/31/00	Bichon et al.	424	9.52	
	5,271,928	12/21/93	Schneider et al.	424	9	
	5,380,519	1/10/95	Schneider et al.	424	9	
	5,413,774	5/9/95	Schneider et al.	424	9.51	
	5,531,980	7/2/96	Schneider et al.	424	9.52	
	5,556,610	9/17/96	Yan et al.	424	9.52	
	5,567,414	10/22/96	Schneider et al.	424	9.52	
	5,578,292	11/26/96	Schneider et al.			
	5,643,553	7/1/97	Schneider et al.	424	9.52	
	5,658,551	8/19/97	Schneider et al.	424	9.51	
	5,711,933	1/27/98	Bichon et al.	424	9.52	
	5,840,275	1/24/98	Bichon et al.	424	9.52	
	5,846,518	12/8/98	Yan et al.	424	9.52	
	5,863,520	1/26/99	Bichon et al.	424	9.52	
	5,911,972	6/15/99	Schneider et al.	424	9.51	7

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	Document Number	Date		Country	Class	Subclass	<u>Trans</u> Yes	lation No
	WO9323015	11/25/93	PCT					
	JP05178739	12/27/91	JР				Abs	
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	ISCLOSURE STATEMENT APPLICANT	APPLICANT Oh et al.		
	al sheets if necessary)	FILING DATE March 30, 2006	GROUP Not Yet Assigned	

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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	6,110,443	8/29/00	Schneider et al.	424	9.51	
	6,123,922	9/26/00	Bichon et al.	424	9.52	·
	6,592,846	7/15/03	Schneider et al.	424	9.52	· · · · · · · · · · · · · · · · · · ·
	6,613,306	9/2/03	Schneider et al.	424	9.52	
	6,881,397	4/19/05	Schneider et al.	424	9.52	
	6,896,875	5/24/05	Schneider et al.	424	9.52	
	US2001001657	5/24/01	Schneider et al.	424	9.52	
	US2001008626	7/19/01	Schneider et al.	424	9.51	
	US2001012507	8/9/01	Schneider et al.	424	9.52	
	US2001024640	9/27/01	Schneider et al.	424	9.52	
	US2002150538	10/17/02	Schneider et al.	424	9.52	
	US2003017109	1/23/03	Schneider et al.	424	9.5	
	US2003064027	4/3/03	Schneider et al.	424	9.52	
	US2003064030	4/3/03	Schneider et al.	424	45	
	US2003175211	9/18/03	Schneider et al.	424	9.52	
	US2003185759	10/2/03	Schneider et al.	424	9.51	
	US2003194376	10/16/03	Schneider et al.	424	9.52	
	US2004126322	7/1/04	Bichon et al.	424	9.52	
	US2004197269	10/7/04	Yan et al.	424	9.52	
	US2004208826	10/21/04	Schneider et al.	424	9.52	
	US2005058605	3/17/05	Schneider et al.	424	9.52	
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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,389,378	2/14/95	Thomas D. Madden	424	450	
	5,376,380	12/27/94	Kikuchi et al.	424	450	
	5,362,424	11/8/94	Lee et al.	264	4.3	
	5,508,041	4/16/96	Lee et al.	424	451	
	4,963,362	10/16/90	Rahman et al.	424	450	
	4,906,476	3/6/90	Ramachandran Radhakrishnan	424	450	
	5,043,165	8/27/91	Ramachandran Radhakrishnan	424	450	
	5,049,389	9/17/91	Ramachandran Radhakrishnan	424	450	
	5,817,334	10/6/88	Schmidt et al.	424	450	
	4,863,739	9/5/89	Perez-Soler et al.	424	450	

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	JP05058879	8/30/91	JP				Abs	
	WO9300807	1/21/93	PCT					
	JP04354954	5/31/91	JP				Abs	
	SU1699343	11/15/89	SU				Abs	
	JP04169531	11/1/90	JP				Abs	
	EP485143	5/13/92	EP					
	WO9202208	2/20/92	PCT					
	DD290807	12/18/85	DD				Abs	
	JP03200723	12/28/89	JP				Abs	
	JP03173813	12/1/89	JP				Abs	<u> </u>
	WO9107170	5/30/91	PCT					
	JP1207237	2/15/88	JР				Abs	
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(Use several s	sheets if necessary)	FILING DATE March 30, 2006	GROUP Not Yet Assigned

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	4,950,432	8/21/90	Mehta et al.	264	4.6	
	5,178,875	1/12/93	Lenk et al.			
	5,811,119	9/22/98	Mehta et al.	424	450	
	5,830,498	11/3/98	Lenk et al.	424	450	
	5,965,158	10/12/99	Link et al.	424	450	
	6,200,597	3/13/01	Mehta et al.	424	450	
	4,927,571	5/22/90	Huang et al.	264	4.3	
	4,822,777	4/18/89	Robert Abra	514	31	
	5,032,582	7/16/91	Robert Abra	514	31	
	5,089,181	2/18/92	Helmut O. Hauser	264	4.3	
	4,746,516	5/24/88	Moro et al.	424	450	
	4,883,665	11/28/89	Miyazima et al.	424	417	
	4,766,046	8/23/88	Abra et al.	424	450	
	5,180,713	1/19/93	Abra et al.	514	31	

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	Document Number	Date	Country	Class	Class Subclass	Trans	lation
			-			Yes	No
_	WO8906532	7/27/89	PCT				
	JP01106829	10/21/87	JP			Abs	
	JP01075421	9/17/87	JP		***	Abs	
	JP01056136	8/27/87	JP			Abs	
	JP63232841	3/23/87	JP			Abs	
	EP260241	3/16/88	EP				<u></u>
	FR2581543	5/9/85	FR			Abs	
	JP61197513	2/25/85	JP			Abs	
	JP61100518	10/22/84	JP			Abs	
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	Initial 4,762,720 4,522,803 4,588,578 4,880,635A 4,880,635B1 4,885,172 4,975,282 4,981,692 5,000,958 5,030,453 5,047,245 5,059,421 5,068,014 5,077,056 5,169,637 5,171,578 5,264,088 5,356,848 5,399,331 5,409,704 5,578,320 5,736,155 5,837,279	8/9/88	Hiroaki Jizomoto	424	450	
	4,522,803	6/11/85	Lenk et al.	424	1.1	
	4,588,578	5/13/86	Fountain et al.	424	1.1	
	4,880,635A	11/14/89	Janoff et al.	424	450	
	4,880,635B1	7/2/96	Janoff et al.	424	450	
	4,885,172	12/5/89	Bally et al.	424	417	
	4,975,282	12/4/90	Cullis et al.	424	450	
	4,981,692	1/1/91	Popescu et al.	424	422	
	5,000,958	3/19/91	Fountain et al.	424	450	
	5,030,453	7/9/91	Lenk et al.	424	450	
	5,047,245	9/10/91	Bally et al.	424	450	
	5,059,421	10/22/91	Loughrey et al.	424	417	
	5,068,014	11/26/91	Brusson et al.	204	59	
	5,077,056	12/31/91	Bally et al.	424	450	
	5,169,637	12/8/92	Lenk et al.	424	450	
	5,171,578	12/15/92	Bally et al.	424	450	
	5,264,088	11/23/93	Brusson et al	204	59	
	5,356,848	10/18/94	Brusson et al.	502	117	
	5,399,331	3/21/95	Loughrey et al	424	450	
	5,409,704	4/25/95	Bally et al.	424	450	
	5,578,320	11/26/96	Janoff et al.	424	450	
	5,736,155	4/7/98	Bally et al.	424	450	
	5,837,279	11/17/98	Janoff et al.	424	450	
	5,922,350	7/13/99	Janoff et al.	424	450	
	4,673,567	6/16/87	Hiroaki Jizomoto	424	38	
	4,743,449	5/10/88	Yoshida et al.	424	420	
	4,411,894	10/25/83	Schrank et al.	424	199	

EXAMINER DATE CONSIDERED

<sup>•</sup>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copyof this form with next communication to applicant.

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	SCLOSURE STATEMENT PPLICANT	APPLICANT Oh et al.	
(Use several	sheets if necessary)	FILING DATE March 30, 2006	ROUP Not Yet Assigned

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	4,247,411	1/27/81	Vanlerberghe et al.	252	316	
	4,229,360A	10/21/80	Schneider et al.	260	403	
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	4,311,712	1/19/82	Evans et al.	424	365	
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	US2003091621	5/15/03	Tardi et al.	424	450	
	US2003147945	8/7/03	Tardi et al.	424	450	
	US2003235619	12/25/03	Allen et al.	424	490	
	US2004022817	2/5/04	Tardi et al.	424	400	1000 000
	US2005019387	1/27/05	Rahman et al.	424	450	
	US2003049302	3/13/03	Pauletti et al.	424	430	
	US2003082228	5/1/03	Flowers et al.	424	450	
	US2002058060	5/16/02	Kan et al.	424	450	
	US2005100590	5/12/05	Duena et al.	424	450	

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				-		<u> </u>	Yes	No
	EP172007	2/19/86	EP					
	JP57082311	11/11/80	JP				Abs	
	JP57082310	11/11/80	JP				Abs	
	WO2003059988	7/24/03	PCT					
	WO2003043584	5/30/03	PCT					
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EXAMINER				DATE CONSIDERED				

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	ISCLOSURE STATEMENT APPLICANT	APPLICANT Oh et al.	
(Use severa	al sheets if necessary)	FILING DATE March 30, 2006	Not Yet Assigned

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	6,723,338	4/20/04	Sarris et al.	424	450	
	US2002110586	8/15/02	Madden et al.	424	450	
	US2002119990	8/29/02	Madden et al.	514	283	
	US2004071768	4/15/04	Sarris et al.	424	450	
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	US2004116411	6/17/04	Schochetman et al.	514	220	
	US2003072794	4/17/03	Teni Boulikas	424	450	
	6,593,308	7/15/03	Francis C. Szoka, Jr.	514	54	
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	WO2001085131	11/15/01	PCT					
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Oh et al.		
(Use several	sheets if necessary)	FILING DATE March 30, 2006	GROUP Not Yet Assigned	

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	DE19913640	3/25/99	DE				Abs	
	CN1262925	2/11/99	CN				Abs	
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	SCLOSURE STATEMENT	APPLICANT Oh et al.	
(Use several	I sheets if necessary)	FILING DATE March 30, 2006	Not Yet Assigned

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	6,740,335	5/25/04	Moynihan et al.	424	450	
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